

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
Conservation Law Foundation, Inc.)	
)	Case No. 1:16-cv-10033
Plaintiff,)	
)	
)	
)	
v.)	
)	
Portside Marine Service, Inc.)	
)	
Defendant.)	
_____)	

NOTICE OF LODGING OF CONSENT DECREE

Plaintiff Conservation Law Foundation, Inc. and Defendant Portside Marine Service, Inc. (collectively, “Parties”) hereby provide notice to the Court that the Parties are lodging the attached Proposed Consent Decree, pending the conclusion of the required 45-day review period mandated by the Clean Water Act and its regulations. 33 U.S.C. § 1251 *et seq.*; 40 C.F.R. § 135.5(b). No action by the Court is needed at this time.

The Citizen Suit provision of the Clean Water Act provides that no consent judgment shall be entered in an action in which the United States is not a party prior to 45 days following the receipt of a copy of the proposed consent judgment by the Attorney General and the EPA Administrator. 33 U.S.C. § 1365(c)(3).

On January 11, 2016, plaintiff’s counsel sent copies of the fully executed Proposed Consent Decree to the Administrator, Environmental Protection Agency (“EPA”), Washington, DC 20460, as well as to the United States Department of Justice (“DOJ”), Citizen Suit

Coordinator, Environment and Natural Resources Division Law and Policy Section, P.O. Box 7415, Ben Franklin Station, Washington, D.C. 20044-7415, pursuant to the requirements of 40 CFR § 135.5. Once the Proposed Consent Decree has been sent to EPA and DOJ, the Parties will await (1) notice from DOJ that the DOJ Citizen Suit Coordinator received the proposed consent judgment and (2) the start and end dates of the 45-day review period as determined by DOJ.

The Parties submit the attached Proposed Consent Decree to the Court at this time for informational purposes only. At the expiration of the 45-day review period set forth in 33 U.S.C. § 1365(c)(3), the Parties will move the Court to enter the Consent Decree.

The undersigned plaintiff's counsel is authorized to state that Portside Marine Service, Inc. assents to the lodging of the attached Proposed Consent Decree and that this Notice of Lodging is submitted on behalf of both Parties to this action.

Respectfully submitted on this 11th day of January, 2016, by:

CONSERVATION LAW FOUNDATION, INC.

/s/ Caitlin Peale Sloan
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CERTIFICATE OF SERVICE

I hereby certify that the parties' Notice of Lodging of Consent Decree, filed electronically through the ECF system with the Court on January 11, 2016 has been sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, if any, on January 11, 2016.

/s/ Caitlin Peale Sloan
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